
HOUSE BILL No. 1046

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-43-5.5.

Synopsis: Commercial bribery. Establishes the crime of commercial bribery, a Class A misdemeanor. Makes the offense a Class D felony if the fair market value of the property involved is more than \$2,500.

Effective: July 1, 2003.

Ulmer

January 7, 2003, read first time and referred to Committee on Courts and Criminal Code.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE BILL No. 1046

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 35-43-5.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2003]:

4 **Chapter 5.5. Commercial Bribery**

5 **Sec. 1. A person who:**

6 **(1) solicits, accepts, or agrees to accept property with intent**
7 **to violate a duty of fidelity to which the person is subject as:**

8 **(A) partner, agent, or employee of another;**

9 **(B) trustee, guardian, or other fiduciary;**

10 **(C) attorney, physician, accountant, appraiser, or other**
11 **professional adviser or informant;**

12 **(D) officer, director, manager, or other participant in the**
13 **direction of the affairs of an incorporated or**
14 **unincorporated association; or**

15 **(E) arbitrator or other purportedly disinterested**
16 **adjudicator or referee;**

17 **(2) knowingly or intentionally:**



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1 (A) represents to the public that the person is engaged in
2 the business of making disinterested selection, appraisal, or
3 criticism of commodities or services; and
4 (B) solicits, accepts, or agrees to accept property to
5 influence the person's selection, appraisal, or criticism; or
6 (3) confers, offers to confer, or agrees to confer property, the
7 acceptance of which violates subdivision (1) or (2);
8 commits commercial bribery, a Class A misdemeanor. However,
9 the offense is a Class D felony if the fair market value of the
10 property is more than two thousand five hundred dollars (\$2,500).
11 SECTION 2. [EFFECTIVE JULY 1, 2003] IC 35-43-5.5, as added
12 by this act, applies to acts committed after June 30, 2003.

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